



NOTICE OF MEETING
GOVERNING BODY OF MARBLE FALLS, TEXAS
Tuesday, March 17, 2020 – 6:00 pm

A quorum of the Marble Falls Economic Development Corporation
and the Planning & Zoning Commission may be present

Notice is hereby given that on the 17th day of March 2020 the Marble Falls City Council will meet in regular session at 6:00 pm in the City Hall Council Chambers located at 800 3rd Street, Marble Falls, Texas, at which time the following subjects will be discussed:

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.**
"Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."
4. **UPDATES, PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**
 - Proclamation – Mayflower Pilgrims Landing in America 400th Anniversary
 - Update from Waste Management. *Gary Gauci, Operations Manager*
 - Update from ATMOS Energy. *Randy Hartford, Community Relations*
5. **CITIZEN COMMENTS.** *This is an opportunity for citizens to address the City Council concerning an issue of community interest that is not on the agenda. Comments on a specific agenda item must be made when the agenda item comes before the Council. The Mayor may place a time limit on all comments. Any deliberation of an issue raised during Citizen Comments is limited to a statement of fact regarding the item; a statement concerning the policy regarding the item or a proposal to place the item on a future agenda.*
6. **CONSENT AGENDA.** *The items listed are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember so requests, in which case the item will be removed from the Consent Agenda prior to a motion and vote. The item will be considered in its normal sequence on the Regular Agenda.*
 - (a) Approval of the minutes of the March 3, 2020 regular meeting. *Christina McDonald, City Secretary*

March 17, 2020 Meeting

(b) Approval of the Fiscal Year 2020-2021 Budget Planning Calendar. *Baron Sauls, Director of Finance*

7. **REGULAR AGENDA.** *Council will individually consider and possibly take action on any or all of the following items:*

(a) Public Hearing, Discussion and Action on Ordinance 2020-O-03D regarding zoning text amendments to City of Marble Falls Code of Ordinances, Chapter 20, Signs, Section 20-3, Definitions, and Section 20-10, Temporary Signs; and Appendix B, Development Code, Article 3, Land Use, Article 4, General Development Regulations; and Article 14, Definitions and Interpretations. *Valerie Kreger, Director of Development Services*

(b) Discussion and Action on authorizing the expenditure of funds to Motorola for the City of Marble Falls' portion of upgrades to the Western Region Radio System. *Glenn Hanson, Assistant Chief of Police*

8. **CITY MANAGER'S REPORT**

- Update on TxDOT Highway 281 Project
- Update on Buena Vista properties
- Emergency Management update

9. **EXECUTIVE SESSION**

10. **RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION**

11. **ANNOUNCEMENTS AND FUTURE AGENDA ITEMS**

12. **ADJOURNMENT**

"The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by the Texas Government Code, including, but not limited to, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Deliberations about Homeland Security Issues) and as authorized by the Texas Tax Code, Section 321.3022 (Sales Tax Information)."

In compliance with the Americans with Disabilities Act, the City of Marble Falls will provide for reasonable accommodations for persons attending City Council Meetings. To better serve you, requests should be received 24 hours prior to the meeting. Please contact Ms. Christina McDonald, City Secretary at (830) 693-3615.

March 17, 2020 Meeting

Certificate of Posting

I, Christina McDonald, City Secretary for the City of Marble Falls, Texas, do certify that this Notice of Meeting was posting at City Hall, in a place readily accessible to the general public at all times, on the 12th day of March, 2020 at 5:30 pm and remained so posted for at least 72 continuous hours preceding the scheduled time of said meeting.

/s/ Christina McDonald

Christina McDonald, TRMC
City Secretary

Proclamation

WHEREAS, 2020 is the 400th Anniversary of the Mayflower Pilgrims Landing in America; and

WHEREAS, in 1620, the Mayflower Pilgrims, became the first self-governing colony in the New World; and

WHEREAS, the Mayflower Pilgrims, seeking religious freedom and opportunity, were originally chartered by the English King to settle near Jamestown; and

WHEREAS, due to Winter Winds they were blown North and forced to land on the cold shores of New England in December 1620, at what would become Plymouth Massachusetts; and

WHEREAS, when they landed, the Mayflower Pilgrims had no Charter, no laws to govern them and no country to protect them; and

WHEREAS, in order to govern themselves, the Mayflower Pilgrims drafted their governing document, The Mayflower Compact, and pledged to self govern themselves under the English King, James I; and

WHEREAS, Master and servant alike signed this document and pledged their obedience to such just and equal laws for the general good of the new colony; and

WHEREAS, the Mayflower Compact represented the first written constitution in North America and is an early example of working self-government; and

WHEREAS, Our American Constitution and Bill of Rights stem from the Mayflower Compact; and

WHEREAS, while half the Pilgrims died that first winter. The treaties they formed with the Native Americans, gave the Pilgrims knowledge on how to survive and grow crops; and

WHEREAS, together with their Native American neighbors, the Mayflower Pilgrims, celebrated a meal of thanksgiving, which we still remember in our Thanksgiving Holiday; and

NOW, THEREFORE I, John Packer, Mayor of the City of Marble Falls do hereby proclaim 2020 as the 400th Anniversary of the Mayflower Pilgrims Landing in the City of Marble Falls and call upon all citizens to honor the importance of the contributions made by the Mayflower Pilgrims; and

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the City of Marble Falls, Texas, to be affixed this 17th day of March, 2020.

John Packer, Mayor

March 17, 2020

6. CONSENT AGENDA

- (a) Approval of the minutes of the March 3, 2020 regular meeting. *Christina McDonald, City Secretary*
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STATE OF TEXAS
COUNTY OF BURNET
CITY OF MARBLE FALLS

On this the 3rd day of March 2020 the Council of the City of Marble Falls convened in regular session at 6:00 pm at the City Hall Council Chambers located at 800 Third Street, Marble Falls, Texas, with notice of meeting giving time, place, date, and subject having been posted as described in Chapter 551 of the Texas Government Code.

PRESENT: John Packer Mayor
Richard Westerman Mayor Pro-Tem
William (Dee) Haddock Councilmember
Craig Magerkurth Councilmember
Celia Merrill Councilmember
Reed Norman Councilmember
Dave Rhodes Councilmember

ABSENT: None

STAFF: Mike Hodge City Manager
Caleb Kraenzel Assistant City Manager
Christina McDonald City Secretary
Patty Akers City Attorney
Baron Sauls Director of Finance
Mark Whitacre Chief of Police
Christian Fletcher EDC Executive Director
Midge Dockery EDC Business Development Coordinator
Erin Burks Downtown Coordinator
Valerie Kreger Director of Development Services
Angel Alvarado Human Resources Director
James Kennedy Director of Public Works
Jay Everett Assistant Director of Public Works

VISITORS: Alex Copeland (Daily Trib), Connie Swinney (The Highlander), Rene Rosales (Councilmember Elect Place 3), Paul King (Board President Helping Center Marble Falls Area), Donald Ray Hooper (1700 Mustang Drive), Russell Buster), Kristen Boswell and Phillip Wanke (PLACE Designers)

1. **CALL TO ORDER AND ANNOUNCE QUORUM IS PRESENT.** Mayor Packer called the meeting to order at 6:00 pm.
2. **INVOCATION.** Councilmember Haddock the invocation.

3. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES AND TO THE TEXAS FLAG.

Councilmember Merrill led the pledges.

4. UPDATES, PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

- **Update from Air Evac.** Terri Thompson, Program Director provided the Air Evac update.

5. CITIZEN COMMENTS. Donald Ray Hooper (1700 Mustang Drive) addressed Council regarding the need for more bike racks within the City, including Lakeside Park. Mayor Packer asked Mr. Hooper to provide staff with a list of suggested locations.

6. CONSENT AGENDA.

(a) Approval of the minutes of the February 18, 2020 regular meeting and workshop.

(b) Approval of an Agreement Extension between the City of Marble Falls and the VFW Post #10376 for use of Lots B and C Nunnally Griffin Subdivision No. One (commonly known as VFW Park).

(c) Acceptance of Certification of Unopposed Candidates for the May 2, 2020 General Election and approval of Ordinance 2020-O-03C canceling the May 2, 2020 General Election and declaring each unopposed candidate elected to office.

(d) Approval of Resolution 2020-R-03A regarding submission of an Economic Development Administration (EDA) grant application for up to \$2,500,000.00 for contributing to funding for the design and construction of a 1.5 million gallons per day (MGD), wastewater treatment plant project and authorizing the City Manager to execute documentation related to said grant application.

Councilmember Haddock made a motion to approve the consent agenda. Councilmember Merrill seconded the motion. The motion carried by a unanimous vote (7-0).

7. REGULAR AGENDA.

(a) Public Hearing, Discussion, and Action on Ordinance 2020-O-03B regarding a street abandonment of 0.09-acre portion of Broadway Street right-of-way abutting Lots 1-4, Block 143, and a 0.09-acre portion of the alley between Lots 1-4 and Lots 9-12 of Block 143, Marble Falls Original Township, City of Marble Falls, Burnet County, Texas. Valerie Kreger, Director of Development Services addressed Council. It was noted that a title search indicates there is a lien on the property. Mayor Packer opened the public hearing. There being no discussion, Mayor Packer closed the public hearing and read the ordinance caption. Mayor Pro-Tem Westerman made a motion to act favorably on Ordinance 2020-O-03D contingent upon the City's receipt of clear title and a copy of the release of lien on the subject property.

Councilmember Haddock seconded the motion. The motion carried by a unanimous vote (7-0).

(b) Discussion and Action on approval of the Downtown Plaza Design. Erin Burks, Downtown Coordinator presented the Downtown Plaza Design to Council. Russell Buster addressed Council regarding the proposed plaza design. Mr. Buster stated the design is too modern for Marble Falls and suggested stakeholder meetings be held to allow for Downtown Business Owner and citizen comments. Council noted that the agenda item was to approve a 'concept', not the final plaza design.

Councilmember Haddock moved to approve the concept plan for the downtown plaza with the idea that the concept is intended to provide City staff a tool to research and identify potential funding sources for constructing the project and to find external funding options. Councilmember Magerkurth seconded the motion. The motion carried by a unanimous vote (7-0).

8. **CITY MANAGER'S REPORT.** City Manager Mike Hodge gave an update on the Siemens Project.
9. **EXECUTIVE SESSION.** Council did not convene to executive session.
10. **RECONVENE INTO OPEN SESSION FOR POSSIBLE ACTION RESULTING FROM ITEMS DISCUSSED IN EXECUTIVE SESSION.** No action was taken.
11. **ANNOUNCEMENTS AND FUTURE AGENDA ITEMS.** The draft agenda for the March 17 meeting was reviewed.
12. **ADJOURNMENT.** There being no further business to discuss, Councilmember Haddock made a motion to adjourn which was seconded by Councilmember Norman. The meeting was adjourned at 6:55 pm.

John Packer, Mayor

ATTEST:

Christina McDonald, TRMC
City Secretary

March 17, 2020

6. CONSENT AGENDA

(b) Approval of the Budget Calendar for Fiscal Year 2020/2021. *Baron Sauls, Director of Finance*



**Council Agenda Item Cover Memo
March 17, 2020**

Agenda Item No.: 6(b)
Presenter: Baron Sauls
Department: Finance Department
Legal Review: Not Applicable

AGENDA CAPTION

Approval of the Budget Calendar for Fiscal Year 2020/2021.

BACKGROUND INFORMATION

Based on the feedback we received from Council's survey, we have scheduled the dates for our 2020/2021 Budget Calendar. Please review and let us know if there are any conflicts with the dates. Specifically, the May 5 Council Strategic Planning Retreat and the July 28 Budget Workshop.

City Staff will be present at the Strategic Planning Retreat and at the Budget Workshop. The meeting location for the Council Strategic Planning Retreat and Budget Workshop are scheduled at the City Hall Council Chambers.

Fiscal Year 2020-2021 Budget Planning Calendar

April 8	Budget Kickoff Meeting	Presentation by the City Manager of the budget and expectations. Distribution of the budget manual. Budget Preparation instruction workshop. All Department Heads and key budget staff to attend. <i>Council Chambers. 10:00 a.m. (after staff meeting)</i>
April 8	Administration	Budget request letters sent to Outside Agencies
May 5	Strategic Planning Retreat	Meeting with Council, City Manager and Staff to determine goals and objectives for the FY 20-21 budget. <i>Location – Council Chambers -12:00 p.m. - 5:00 p.m.</i>
June 2	Initial Budget Input Deadline	All items to be turned in including Narratives and Performance Measures. Preliminary revenue estimates completed by Finance. (EDC- deadline June 12)
June 18	HOT Committee Meeting	Hotel Occupancy Tax funding requests presented to committee <i>Council chambers - 11:00 a.m. - 2:00 p.m.</i>
June 11	CIP Committee Meeting	FY 20/21 Projects Presented to the CIP Committee <i>Council Chambers – 6:00 p.m. – 8:00 p.m.</i>
June 22-26	Budget Review Meeting	Meetings with City Manager, ACM and Department Heads <i>Location – City Hall Conference Room at designated times.</i>
July 8	Prioritization Workshop	Workshop with CM and Department Heads <i>Council Chambers – 10:00 a.m. (after staff meeting)</i>
July 24	BCAD	Tax Appraisal Roll received from Burnet County Appraisal District
July 27	Finance	Publish <u>Effective and Rollback Tax Rate Notice</u> in the Official Newspaper
July 28	Budget Workshop	Public Meeting with Staff and City Council <i>Council Chambers – 9:00 a.m. – 2:00 p.m</i>
August 4	Council Meeting	Governing Body to discuss tax rate, take record vote and schedule public hearing
August 18	Council Meeting	Public Hearing and first reading of Budget and Appropriations Ordinance and Tax Rate Ordinance
September 1	Council Meeting	Public Hearing and second reading on Budget and Appropriations Ordinance and Tax Rate Ordinance.
September 15	Council Meeting	Adoption of Budget and Appropriations Ordinance and Tax Rate Ordinance

March 17, 2020

7. REGULAR AGENDA

- (a) Public Hearing, Discussion and Action on Ordinance 2020-O-03D regarding zoning text amendments to City of Marble Falls Code of Ordinances, Chapter 20, Signs, Section 20-3, Definitions, and Section 20-10, Temporary Signs; and Appendix B, Development Code, Article 3, Land Use, Article 4, General Development Regulations; and Article 14, Definitions and Interpretations. *Valerie Kreger, Director of Development Services*
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Council Agenda Item Cover Memo
March 17, 2020

Agenda Item No.: 7(a)
Presenter: Valerie Kreger, Director of Development Services
Department: Development Services
Legal Review:

AGENDA CAPTION

Public Hearing, Discussion and Action on Ordinance 2020-O-03D regarding zoning text amendments to City of Marble Falls Code of Ordinances, Chapter 20, Signs, Section 20-3, Definitions, and Section 20-10, Temporary Signs; and Appendix B, Development Code, Article 3, Land Use, Article 4, General Development Regulations; and Article 14, Definitions and Interpretations.

BACKGROUND INFORMATION

This item is for consideration of proposed amendments to the City Code sign regulations and to various sections of the Development Code.

The Development Code was adopted in October of 2018 and went into effect on January 1 of 2019. At time of adoption, it was understood and encouraged that staff acknowledge any issues that may be discovered once the document was in use and be prepared to bring amendments back to City Council as soon as possible rather than waiting a specific time period. Staff has discovered not only mistakes or unintended consequences as expected, but also various items that were not considered or not considered in the contexts that have arisen.

A summary of the proposed amendments is listed below and the redline of the code edits is attached for review.

Chapter 20, Signs

- Clarified development sign in definitions and temporary signage
- Added human signs to definitions and temporary signage
- Addressed feather flags in downtown

Article 3, Land Uses

- Added tiny house development to TR with approval of Conditional Use Permit
- Added duplex to NC with approval of a Conditional Use Permit
- Added townhouse to NC up to 14 units per acre with approval of a Conditional Use Permit

- Added apartment to NC up to 20 units per acre with approval of a Conditional Use Permit
- Corrected live-work restrictions
- Added social service institution to restricted and conditional use standards chart
- Revised recreational vehicle (RV) park restricted and conditional use standards
- Corrected self-storage in restricted and conditional use standards chart

Article 4, General Development Regulations

- Re-added restriction of age of structure moved into the city limits.
- Added standards for tiny house development in the TR district.
- Made correction to add townhouse development to the downtown and downtown transition districts in the tables.
- Adjusted minimum lot width requirements and street side setbacks for neighborhood single-family detached and single-family zero lot line development options in the NR district.
- Made correction to add the ENZ.1 district to the area exception for one-story detached ADUs.
- Clarified front yard setback for fences is the building line, removed required 10' setback for street side yards, and clarified double frontage requirements.

Article 14, Definitions and Interpretations

- Clarified cottage definition.
- Clarified multifamily definition.
- Clarified recreational vehicle park (RV park) definition
- Clarified townhouse definition

The Planning and Zoning Commission considered the amendments at their March 5th meeting. They recommended unanimous approval subject to the following changes:

1. Add minimum setback for feather flags from roadway to provide for sight distance;
2. Add tiny house development to the ENZ.3 and ENZ.4 districts;
3. Regarding outdoor storage at RV parks, account for barbeque pit type cooking facilities;
4. Clarify no structure older than 5 years shall be moved into or within the city limits and provide for consideration by P&Z to allow; and
5. Clarify that the townhouse product is on individual lots only.

Staff has made the recommended changes and they are reflected in the redline attachment to this memo.

RECOMMENDATION

The Planning and Zoning Commission unanimously (7-0) recommended approval of the proposed amendments to the Marble Falls Code of Ordinances Chapter 20, Sign Regulations, and Appendix B, Development Code, subject to the following changes:

1. Add minimum setback for feather flags from roadway to provide for sight distance;

2. Add tiny house development to the ENZ.3 and ENZ.4 districts;
3. Regarding outdoor storage at RV parks, account for barbeque pit type cooking facilities;
4. Clarify no structure older than 5 years shall be moved into or within the city limits and provide for consideration by P&Z to allow;
5. Clarify that the townhouse product is on individual lots only.

Memo Contents:

- Redlined Text of Proposed Amendments Pages 4-11
- Ordinance 2020-O-03D Pages 12-20

Chapter 20 - SIGNS

Sec. 20-3. - Definitions.

Development sign means signs **announcing a new development and/or** giving the name or names of principal contractors, architects and lending institutions responsible for construction of **a** ~~or~~ **in an approved** subdivision or land development at the site where the sign is placed.

Human sign means a sign that is worn (including costumes) or held by a human for commercial advertising or promotion purposes.

Sec. 20-10. - Temporary signs.

B. Detached temporary signs.

4. Feather flag signs (tear drop banners).

- c. Location requirements. Feather flag signs shall be located within the premises of the business, organization, or event for which they advertise. Feather flag signs shall not create a traffic circulation disturbance or a vision obstruction to neighboring signs or traffic accessibility. Feather flag signs shall not block pedestrian paths **(sidewalks)**, entrances or exits to buildings. Feather flag signs are prohibited from utilization in residential zoning districts, such as NR, TR, DR, ENZ.2, ENZ.3, or other PDD district equivalents **and are prohibited on properties zoned Downtown (DN) District that are located west of US 281 and that do not front on US 281.**
- d. Setback requirements. None. Feather flag signs may be placed on the property line provided **they are set back at least three (3) feet from a public sidewalk and ten (10) feet from a roadway and that** all other provisions of this section are met.

8. Human signs.

a. Maximum size. Six (6) square feet.

b. Allocation. One (1) human sign per property for a maximum period of two (2) weeks or fourteen (14) days per every six (6) month period.

c. Location requirements. Human signs are prohibited in the right-of-way. Human signs may be permitted anywhere on the premises of the private property on which the business being advertised is located provided they do not create a hazard or impede vehicle, bicycle or pedestrian circulation and do not interfere with required visibility triangles.

d. Design. Human signs shall not utilize any type of illumination, animation, flashing, blinking, rotating light, fluorescent colors, or mirrors, and may not generate any noise that would disrupt or endanger pedestrians or motorists.

- E. *Development sign*. Signs announcing or describing a ~~legally approved~~ subdivision or land development may be temporarily erected until **construction of** the subdivision **or development** is completed. Such signs shall not exceed one hundred (100) square feet in area and may be indirectly lighted. An annual permit is required.

Article 3, Land Use

DIVISION 3.1 LAND USES BY ZONING DISTRICT

Section 3.1.3 Residential and Neighborhood Uses

Table 3.1.3 Residential and Neighborhood Uses by Zoning District																		
Land Use	ZONING DISTRICTS																Reference to Supplemental Use Standards	
	P=Permitted R=Restricted E=Existing C=Conditional MP=Master Planned Community ---=Prohibited																	
	Ag		Residential					ENZ Subdistrict					Nonresidential					
	FR	RE	NR	TR	DR	MR	ENZ. 1	ENZ. 2	ENZ. 3	ENZ. 4	ENZ. 5	NC	GC	DN	DT	BP	IN	
Cottage	--	--	MP	P	P	MP	--	--	--	--	--	--	--	--	--	--	--	N/A
Single-Family Detached	P	P	P	P	P	MP	P	P	P	P	P	C	--	--	--	--	--	Table 3.2.1.B
Single-Family Attached	--	--	MP	P	P	MP	--	C	P	P	P	--	--	--	--	--	--	
Single-Family Zero Lot Line	--	--	R	R	R	MP	--	R	R	R	R	--	--	--	--	--	--	
Industrialized Housing	R	R	R	R	R	MP	R	R	R	R	R	--	--	--	--	--	--	
Manufactured Home	R	--	C	--	--	C	--	--	--	--	P	--	--	--	--	--	--	
Manufactured Home Park	C	--	C	--	--	C	--	--	--	--	R	--	--	--	--	--	--	
Tiny House Development	C	--	C	C	C	C	--	--	C	C	R	--	--	--	--	--	--	
Duplex	--	--	MP	P	P	MP	--	C	P	P	P	C	--	--	--	--	--	
Townhouse	--	--	MP	P	P	P	--	--	P	P	--	C	--	R	R	--	--	
Triplex	--	--	MP	P	C	P	--	--	P	P	--	--	--	--	--	--	--	
Quadplex	--	--	MP	P	C	P	--	--	P	P	--	--	--	--	--	--	--	
Apartment	--	--	--	C MP	C	P	--	--	--	P	--	C	--	R	R	--	--	
Live-Work Unit	--	--	--	--	--	--	--	--	--	--	--	P	--	R	R	--	--	
Loft Apartment	--	--	MP	MP	--	MP	--	--	--	--	--	C	--	P	P	--	--	
Group Home	R	R	R	R	R	R	R	R	R	R	R	C	C	--	C	--	--	

DIVISION 3.2 SUPPLEMENTAL USE REGULATIONS

Section 3.2.1 Restricted and Conditional Uses

Table 3.2.1.B Residential and Neighborhood Restricted and Conditional Use Standards			
Land Use	District	Development Standards	Operational/Other Standards
Tiny House Development	FR	Tiny House Developments are subject to the requirements of Section 4.2.4, <i>Tiny House Development</i> . Tiny House Developments in the FR, NR, TR , and MR districts are also subject to approval of a Conditional Use Permit.	All tiny houses shall be connected to utilities as set out in Subsection 4.2.4.C.6, <i>Utilities</i> and Subsection 4.2.4.C.7, <i>Solid Waste Disposal</i> , and shall comply with minimum building standards as set out in Subsection 4.2.4.B, <i>Tiny House Building Unit Standards</i> .
	NR		
	TR		
	DR		
	MR		
Duplex	ENZ.3	There are no specific restrictions applicable to the Conditional Use Permit requirement.	
	ENZ.4		
Townhouse	ENZ.5	Buildings must be designed to create an urban character with pedestrian interface. Entrances are required to face the street and must include a porch or stoop. Required parking must be accessed via an alley.	N/A
	NC		

Table 3.2.1.B Residential and Neighborhood Restricted and Conditional Use Standards

Land Use	District	Development Standards	Operational/Other Standards
Apartment	DR	Limited to a maximum of 20 units per acre.	N/A
	TR	Limited to a maximum of 14 units per acre.	
	NC	Limited to a maximum of 14 units per acre.	
	DN DT	Limited to a maximum of 44 units per acre. Buildings must be designed to create an urban character, required parking is accessed via an alley and accommodated in a parking structure or a parking lot which uses the building to screen it from the public right-of-way. In the DN district, the first floor of the building shall be dedicated to nonresidential uses permitted within the district. No apartment units shall be located on the first floor in the DN District.	
Live-work unit	DN DT	Live-work units must be designed with a residential external appearance in the form of a townhouse. Customer parking must be provided on street, in a parking structure, or via alley access. The area devoted to work the residence cannot exceed 50 percent of the total floor area.	N/A

Table 3.2.1.C Civic Restricted and Conditional Use Standards

Land Use	District	Development Standards	Operational and Other Standards
<u>Social Service Institution</u>	DR GC DN DT BP	<u>There are no specific restrictions applicable to the Conditional Use Permit requirement.</u>	

Table 3.2.1.D Commercial Restricted and Conditional Use Standards

Land Use	District	Development Standards	Operational/Other Standards
Recreational Vehicle (RV) Park	FR MR ENZ.5	<p>Recreational vehicles shall only be located within an RV Park subject to approval of a Conditional Use Permit and in accordance with the following:</p> <ul style="list-style-type: none"> • An RV park shall be planned cohesively through a Site Development Plan. • All RV parks shall take access from an arterial or collector street with a driveway width of at least 32 30 feet. • A single recreational vehicle is allowed per space. • RVs shall be placed on a permanent parking pad at least 10 feet in width and 24 feet in depth constructed of concrete, asphalt, or similar material approved by the City Engineer. • Each RV space shall have adequate frontage width on an access drive to allow for loading/unloading maneuvering space. • RV parks may include sanitary facilities, park storage buildings, or management offices. • Common area amenities shall be required based on the number of units allotted per the Site Development Plan. • All spaces shall provide connections to potable water, sanitary sewer, and electrical power. • The RV park shall provide a centralized solid waste collection facility. • A permanent marker identifying the space number is required to be clearly visible day and night for emergency vehicles. • <u>Individual units/spaces shall not have accessory structures, such as sheds and carports.</u> • <u>Outside storage at individual units/spaces is not allowed, except for except for a barbeque pit or similar outdoor cooking apparatus.</u> • <u>Individual RV units/spaces shall not have permanent decks and/or porches.</u> • <u>Individual RV units/spaces shall not have fencing.</u> 	N/A

Table 3.2.1.E Industrial Restricted and Conditional Use Standards

Land Use	District	Development Standards	Operational/Other Standards
Self-Storage	GC	When located adjacent to a major arterial level street, the facility shall be set back at least 150 feet from the right-of-way. Additionally, unit doors shall not be visible from public rights-of-way nor residentially zoned or used properties. Outdoor storage areas shall be completely screened from view from the street by a wall or fence at least eight feet in height.	The use will be conducted entirely within an enclosed building. All units shall be accessed from an interior hallway and not contain an interior electrical outlet. Self-storage units shall be used solely for the purpose of storage and shall not be used for conducting or operating a business.
	IN	<u>When located adjacent to a major arterial level street, the facility shall be set back at least 150 feet from the right-of-way. Additionally, unit doors shall not be visible from public rights-of-way nor residentially zoned or used properties. Outdoor storage areas shall be completely screened from view from the street by a wall or fence at least eight feet in height.</u>	Outdoor storage areas shall comply with Section 4.6.5, <i>Outdoor Storage and Display of Merchandise</i> . <u>Self-storage units shall be used solely for the purpose of storage and shall not be used for conducting or operating a business.</u>

Article 4, General Development Regulations

DIVISION 4.1 GENERAL USE PROVISIONS

Section 4.1.1 Use of Land and Water, Generally

C. Restriction of age of structure moved into or within the city limits. No structure more than five (5) years of age may be moved into the city limits or moved between any properties within the city limits without specific approval from the Planning and Zoning Commission. Structures for which the principal use is primary or secondary educational facilities shall be exempt from this provision.

DIVISION 4.2 NEW RESIDENTIAL DEVELOPMENT DESIGN

Table 4.2.1 Development Options and Yield for New Residential Development

Development Option	Min. Area of Development	Min. Lot Size/ Area Per Dwelling Unit	Max. Gross Density per Acre	Min. Open Space Area	Min. Dwelling Unit Size
Transitional Residential (TR) District					
<u>Tiny House Development^{2,4}</u>	<u>5.0 ac.</u>	<u>3,600 sf</u>	<u>5.25</u>	<u>40%</u>	<u>140 sf⁷</u>
Triplex ⁴	10,500 sf	10,500 sf	12.00	25%	N/A
Quadplex ⁴	14,500 sf	14,500 sf	12.00	25%	N/A
Downtown (DN) and Downtown Transition (DT) Districts					
<u>Townhouse (Rear-Loaded)⁹</u>	<u>42,000 sf</u>	<u>2,000 sf</u>	<u>20.00</u>	<u>N/A</u>	<u>N/A</u>
Apartment ⁶	N/A	N/A	40 <u>44</u> .00	N/A	N/A
Loft Apartment ⁶	N/A	N/A	40 <u>44</u> .00	N/A	N/A

Table Notes:

² Tiny House Developments must also comply with the standards of Section 4.2.4, *Tiny House Development*.

⁴ Allowed only with approval of a Conditional Use Permit as set out in Section 3.2.1, *Restricted and Conditional Uses*, and 11.3.4, *Conditional Use Permits*.

⁶ Apartments and lofts are subject to the standards set out in Section 4.3.1, *Nonresidential and Mixed-Use Lot and Building Standards*, Section 4.3.2, *Nonresidential, Mixed-Use and Apartment Design Standards*, and Section 4.3.4, *Special Design Standards for Downtown (DN) and Downtown Transition (DT) Districts*, as may be applicable.

⁷ Maximum Tiny House size is 599 square feet.

⁹Townhouses in the Downtown (DN) and Downtown Transition (DT) Districts are subject to the standards set out in Section 4.3.4, *Special Design Standards for Downtown (DN) and Downtown Transition (DT) Districts*.

Table 4.2.2 Lot and Building Standards for New Residential Development

Development Option	Min. Lot Size/ Area Per Unit	Min. Lot Width	Min. Lot Frontage	Min. Setbacks					Max. Height Building/ Structure	Max. Lot Coverage
				Front	Interior Side	Street Side	Rear	Garage		
Neighborhood Residential (NR) District										
Neighborhood (Single-Family Detached)	5,000 sf	50' ¹ 45' ¹² / 60' ¹ 55' ¹	20'	25'	5'	15' ¹ 10'	15'	25'/ 7.5' ²	35'	50%
Neighborhood (Rear-Loaded) (Single-Family Detached) ³	4,200 sf	42' ³ 38' ¹ / 52' ³ 48' ¹	20'	15'	5'	15' ¹ 10'	15'	7.5' ²	35'	60%
Single-Family Zero Lot Line ¹⁰	5,000 sf	50' ¹ 45' ¹² / 65' ¹ 60' ¹	20'	25'	0'/10' ¹¹	15' ¹ 10'	15'	25'/ 7.5' ²	35'	50%
Transitional Residential (TR) District										
Tiny House Development^{6,8}	3,600 sf	40'	20'	15'	5'	10'	15'	N/A	25'	50%
Triplex ⁸	12,000	50'	50'	25'	10'	15'	15'	25'	40'	70%
Quadplex ⁸	14,500	50'	50'	25'	10'	15'	15'	25'	40'	70%
Apartment ^{8,9}	N/A	60'	60'	25'	15'	20'	15'	N/A	40'	70%
Downtown (DN) and Downtown Transition (DT) Districts										
Townhouse (Rear-Loaded)^{3,13}	2,000 sf	20'	20'	0'/10'¹⁴	5'/0'⁴	10'	15'	7.5'²	60'	70%
Table Notes:										
¹ The second number is the lot width for corner lots.										
² The second number is the garage setback for lots taking direct access from a rear alley.										
³ Rear-loaded means that parking must be located at the rear of the site and access must be taken from an alleyway at the rear of the property. Does not require an enclosed or covered garage.										
⁶ Tiny House Developments must also comply with the standards of Section 4.2.4, <i>Tiny House Development</i> .										
⁷ Allowed only in conjunction with a Master Planned Community.										
⁸ Allowed only with approval of a Conditional Use Permit.										
⁹ Apartments and lofts are subject to the standards set out in Section 4.3.1, <i>Nonresidential and Mixed-Use Lot and Building Standards</i> , Section 4.3.2, <i>Nonresidential, Mixed-Use and Apartment Design Standards</i> , and Section 4.3.4, <i>Special Design Standards for Downtown (DN) and Downtown Transition (DT) Districts</i> , as may be applicable.										
¹⁰ Single-Family Zero Lot Line developments must also comply with the standards of Subsection 4.2.10, <i>Single-Family Zero Lot Line Development</i> .										
¹¹ For Single-Family Zero Lot Line development, one interior side lot line minimum setback may be 0' and the opposite interior side lot line must be a minimum of 10' in conformance with the approved subdivision plat for the development.										
¹² Lot widths within a development of at least 20 homes may be reduced to 40 feet provided the average lot width within the development is at least 45 feet.										
¹³ Townhouses in the Downtown (DN) and Downtown Transition (DT) Districts are subject to the standards set out in Section 4.3.4, <i>Special Design Standards for Downtown (DN) and Downtown Transition (DT) Districts</i>.										
¹⁴ Townhouses in the Downtown (DN) District are required to be built-to the front property line and townhouses in the Downtown Transition (DT) District are required to be built within ten (10) feet of the front property line.										

Table 4.2.6.A Downtown Residential Lot and Building Standards

Land Use	Min. Lot Width	Min. Lot Size/ Area per Unit	Max. Lot Coverage	Min. Setbacks					Max. Building/ Structure Height	Minimum Dwelling Unit Size
				Front	Interior Side	Street Side	Rear	Garage Access		
Cottage	30'	4,200 sf	60%	10'	5'	7.5'	15'	7.5' ⁵	25'	600 sf ⁸
	40' ¹¹	5,600 sf	60%	10'	5'	10'	15'	15' ¹²	25'	600 sf ⁸
	50'	7,000 sf	60%	15'	5'	10'	15'	15' ¹²	35'	600 sf ⁸
Single-Family Detached	30' ¹	4,200 sf	60%	15'	5'	7.5'	15'	7.5' ⁵	35'	900 sf
	40' ¹¹	5,600 sf	60%	15'	5'	7.5'	15'	15' ¹²	35'	900 sf
	50'	7,000 sf	60%	15'	5'	10'	15'	15' ¹²	35'	900 sf
Single-Family Zero Lot Line ⁹	30' ¹	4,200 sf	60%	15'	0'/10' ¹⁰	7.5'	15'	7.5' ⁵	35'	900 sf
	40' ¹¹	5,600 sf	60%	15'	0'/10' ¹⁰	7.5'	15'	15' ¹²	35'	900 sf
	50'	7,000 sf	60%	15'	0'/10' ¹⁰	10'	15'	15' ¹²	35'	900 sf

Table 4.2.6.A Downtown Residential Lot and Building Standards

Land Use	Min. Lot Width	Min. Lot Size/ Area per Unit	Max. Lot Coverage	Min. Setbacks					Max. Building/ Structure Height	Minimum Dwelling Unit Size
				Front	Interior Side	Street Side	Rear	Garage Access		
Single-Family Attached	30 ¹	4,200 sf	60%	15'	0' ⁴ / 5'	7.5'	15'	7.5' ⁵	35'	800 sf
	40' ¹¹	5,600 sf	60%	15'	5'	7.5'	15'	15' ¹²	35'	900 sf
	50'	7,000 sf	60%	15'	0' ⁴ / 5'	10'	15'	15' ¹²	35'	900 sf
Duplex	50'	7,000 sf	60%	15'	5'	10'	15'	15' ¹²	35'	800 sf
Townhouse	22' ² / 32' ³	2,400 sf	60%	5'	0' ⁴ / 5'	10'	15'	7.5' ⁵	35'	N/A
<u>Tiny House Development^{6,14}</u>	<u>40'</u>	<u>3,600 sf</u>	<u>60%</u>	<u>15'</u>	<u>5'</u>	<u>10'</u>	<u>15'</u>	<u>N/A</u>	<u>25'</u>	<u>140 sf¹⁵</u>
Triplex ⁶	50'	7,000 sf	60%	15'	10'	10'	15'	7.5' ¹³	40'	N/A
Quadplex ⁶	50'	7,000 sf	60%	15'	10'	10'	15'	7.5' ¹³	40'	N/A
Apartment ^{6,7}	100'	14,000 sf	70%	25'	10'	15'	15'	7.5' ¹³	40'	N/A

Table Notes:

¹ Single-Family Detached, Single-Family Zero Lot Line or Single-Family Attached development on 30-foot lots is only allowed on 30-foot lots that existed on the effective date of these regulations.

² New Townhouse Development on a minimum of 22 foot lots is only allowed as rear-loaded units as set out in Table 4.2.6.C, *Downtown Residential Illustrative Lot Configurations*.

³ The second number is the lot width for corner lots.

⁴ The first number is the side setback for the side attached to an adjacent unit.

⁵ Garage access must be taken from a rear alley.

⁶ Allowed only with approval of a Conditional Use Permit as set out in Section 11.3.4, *Conditional Use Permits*.

⁷ Apartments are subject to the standards set out in Section 4.3.1, *Nonresidential and Mixed-Use Lot and Building Standards*, and Section 4.3.2, *Nonresidential, Mixed-Use and Apartment Design Standards*, as may be applicable.

⁸ Maximum Cottage unit size is 899 square feet.

⁹ Single-Family Zero Lot Line developments must also comply with the standards of Subsection 4.2.10, *Single-Family Zero Lot Line Development*.

¹⁰ For Single-Family Zero Lot Line development, one interior side lot line minimum setback may be 0' and the opposite interior side lot line must be a minimum of 10' in conformance with the approved subdivision plat for the development.

¹¹ Corner lots must be at least 50' wide.

¹² Garage access may be reduced to 7.5' when accessed from an alley.

¹³ Triplex, Quadplex, and Apartment parking, including garages, must be directly accessed from within the site, not the street, except that when an alley is present, direct access may be taken from the alley.

¹⁴ **Tiny House Developments must also comply with the standards of Section 4.2.4, *Tiny House Development*.**

¹⁵ **Maximum Tiny House size is 599 square feet.**

Table 4.2.7.A Existing Neighborhood Zones General Lot and Building Standards

ENZ Sub-district	Development Type	Min. Lot Width	Lot Area & Coverage		Min. Setbacks				Max. Building/ Structure Height	Min. Dwelling Unit Size
			Minimum Area per Lot / Unit	Max. Lot Coverage	Front	Interior Side	Street Side	Rear		
ENZ.1	N/A	100'	1 ac.	30%	50'	15'	25'	25'	35'	1,500 sf
ENZ.2	Single-Family Detached, Single-Family Zero Lot Line ⁶ , Single-Family Attached ² , Duplex ⁵	50'	6,000 sf	50%	25'	5' ⁷	15'	10'	35'	900 sf

Table 4.2.7.A Existing Neighborhood Zones General Lot and Building Standards										
ENZ Sub-district	Development Type	Min. Lot Width	Lot Area & Coverage		Min. Setbacks				Max. Building/ Structure Height	Min. Dwelling Unit Size
			Minimum Area per Lot / Unit	Max. Lot Coverage	Front	Interior Side	Street Side	Rear		
ENZ.3	Single-Family Detached, Single-Family Zero Lot Line ⁶ , Single-Family Attached, Duplex	50'	6,000 sf	75%	25'	5' ^{2,7} / 0'	15'	10'	35'	900 sf
	Townhouse	20'	2,400 sf	75%	20'/ 15' ¹	5' ² / 0'	15'	5'	35'	800 sf
	<u>Tiny House Development^{6,14}</u>	<u>50'</u>	<u>6,000 sf</u>	<u>60%</u>	<u>25'</u>	<u>5'</u>	<u>15'</u>	<u>15'</u>	<u>25'</u>	<u>140 sf¹⁵</u>
	Tri-plex, Quadplex	50'	6,000 sf	75%	25'	5'	15'	15'	35'	600 sf
ENZ.4	Single-Family Detached, Single-Family Zero Lot Line ⁶ , Single-Family Attached, Duplex	50'	6,000 sf	75%	25'	5' ^{2,7,2}	15'	15'	35'	800 sf
	Townhouse	20'	2,600 sf	75%	25'/ 20' ¹	10' ² / 0'	15'	5'	35'	800 sf
	<u>Tiny House Development^{6,14}</u>	<u>50'</u>	<u>6,000 sf</u>	<u>60%</u>	<u>25'</u>	<u>5'</u>	<u>15'</u>	<u>15'</u>	<u>25'</u>	<u>140 sf¹⁵</u>
	Tri-plex, Quadplex, Apartment ⁴	100'	12,000 sf	75%	25'	10'	15'	15'	50'/ 35' ³	600 sf
ENZ.5	Manufactured Home, Single-Family Detached, Single-Family Attached, Duplex	50'	5,000 sf	60%	25'	5'	15'	15'	25'	600 sf
	<u>Tiny House Development^{5,8}</u>	<u>50'</u>	<u>5,000 sf</u>	<u>60%</u>	<u>25'</u>	<u>5'</u>	<u>15'</u>	<u>15'</u>	<u>25'</u>	<u>140 sf⁹</u>

Table Notes:

¹ When the garage faces onto the street, the setback for the garage and the second story shall increase to 25 feet.

² For single-family attached units and townhouses, there is a zero-foot interior setback between attached units, but minimum 10-foot separation between buildings.

³ Maximum height shall be limited to 35 feet on any portion of a site within 100 feet of property zoned ENZ.2, Downtown Residential (DR), or Neighborhood Residential (NR).

⁴ Apartments are subject to the standards set out in Section 4.3.1, *Nonresidential and Mixed-Use Lot and Building Standards* and Section 4.3.2, *Nonresidential, Mixed-Use and Apartment Design Standards*, as may be applicable.

⁵ Allowed only with approval of a Conditional Use Permit as set out in Section 3.2.1, *Restricted and Conditional Uses*, and 11.3.4, *Conditional Use Permits*.

⁶ Single-Family Zero Lot Line developments must also comply with the standards of Subsection 4.2.3, *Single-Family Zero Lot Line Development*.

⁷ For Single-Family Zero Lot Line development, one interior side lot line minimum setback may be 0' and the opposite interior side lot line must be a minimum of 10' in conformance with the approved subdivision plat for the development.

⁸ **Tiny House Developments must also comply with the standards of Section 4.2.4, *Tiny House Development*.**

⁹ **Maximum Tiny House size is 599 square feet.**

Section 4.2.9 Accessory Dwelling Units (ADUs)

F. Supplemental Standards for One-Story Detached ADUs.

1. *Area.* The floor area of a one-story detached ADU shall not exceed the lesser of the following:
 - d. *Exception.* In the FR₁ and RE₁ and ENZ.1 Districts, a one-story detached ADU shall not exceed 33 percent of the gross floor area of the principal building, or 1,200 square feet, whichever is smaller.

DIVISION 4.6 SUPPLEMENTAL DEVELOPMENT STANDARDS

Table 4.6.4 Location, Fence, and Wall Height and Setback Requirements			
Location	Height ^{1,2}	Setack ³	Additional Standards
Front Yard	3.5'	0'	Fences and walls shall have a maximum 50% opacity.
	6'	20' Front building line	20' setback is from street right-of-way and shall be landscaped green space. Six-foot fencing shall not be located any closer to the front property line or street than the primary structure.
Street Side Yard	3.5'	0'	Fences and walls shall have a maximum 50% opacity.
	6'	10'	10' setback is from street right-of-way and shall be landscaped green space. Six-foot street side yard fencing shall not encroach into the front yard setback requirement.
Interior Side Yard	6'/8'	0'	Where the use of the property or one the abutting properties is non-residential, industrial, or mixed-use, the maximum height is eight feet. If both are residential, the maximum height is six feet.
Rear Yard			
Double Frontage Rear Yard	3.5'	0'	Fences and walls shall have a minimum 50% opacity.
	6'	5' 10'	10' setback is from street right-of-way and shall be landscaped green space.
Arterial Street Frontage	8'	5'	Frontage abuts a major or minor arterial.

Table Notes:

¹ Decorative columns, pilasters, stone caps, sculptural elements, and other similar architectural features may exceed the maximum height by up to one foot, provided that such taller elements comprise no more than 10 percent of the total wall length in elevation view.

² Fences and walls meeting the criteria for outdoor storage may be allowed additional height as set out in Section 4.6.5, *Outdoor Storage and Display of Merchandise*.

³ All fences and walls shall be set back a minimum of two feet from an existing public sidewalk and three feet from an alley right-of-way.

⁴ ~~The setback can be reduced by demonstrating a 20' landscaped area between the back of curb and fence location, which may be partially or full located within the right-of-way.~~

Article 14, Definitions and Interpretations

DIVISION 14.3 DEFINITIONS

Cottage means a small single-family detached dwelling **unit ranging in size from 600 square feet to 899 square feet** which is intended for small lots in specified zoning districts.

Multifamily means a **use whereby building(s) that contains three or more dwelling units that are accessed by from interior hallways or from individual exterior entrances (e.g., an apartment complex) are located on a single lot or tract under one ownership, and may include condominium form of ownership. The term multifamily including includes** apartments, triplexes, and fourplexes. The term multifamily does not include bed and breakfast lodging, manufactured housing, single-family detached or attached residential uses, or hotels/lodging.

Recreational Vehicle Park (RV Park) means a property or parcel of land developed for the use of ~~short or long-term occupancy~~ of two or more recreational vehicles in designated spaces.

Townhouse means an **dwelling unit, generally having two or more floors, attached to at least two (2) and no more than five (5) similar dwelling units (townhouse row) building which contains three to six dwelling units arranged in a linear form that are separated by common walls extending from foundation to roof with exposed front and rear walls, with each unit occupying space from ground to roof.** Townhouses ~~may be~~ situated on individual lots, ~~a single lot under one ownership, or a single lot through condominium ownership.~~

ORDINANCE NO. 2020-O-03D

AN ORDINANCE OF THE CITY OF MARBLE FALLS, TEXAS (“CITY”), AMENDING CITY OF MARBLE FALLS CODE OF ORDINANCES, CHAPTER 20, SIGNS, SECTION 20-3, DEFINITIONS, AND SECTION 20-10, TEMPORARY SIGNS; AND APPENDIX B, DEVELOPMENT CODE, ARTICLE 3, LAND USE, ARTICLE 4, GENERAL DEVELOPMENT REGULATIONS; AND ARTICLE 14, DEFINITIONS AND INTERPRETATIONS; PROVIDING FOR REPEALER, SEVERABILITY, EFFECTIVE DATE AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Marble Falls, Texas, (herein the “City”) is a home-rule city having authority to exercise its police power to regulate the health, safety and general welfare of the citizens of the City; and

WHEREAS, the City of Marble Falls, Texas, is legally empowered to regulate development in the community through the legitimate use of its police powers; and

WHEREAS, the City Council of the City of Marble Falls is legally empowered to amend sign regulations to provide for amendments, changes, and additions; and

WHEREAS, the City Council of the City of Marble Falls, Texas, is legally empowered to amend the land use and development regulations to provide for changes and additions to permitted uses, conditional uses, and site development regulation; and

WHEREAS, on October 23, 2018, the Marble Falls City Council, per Ordinance 2018-O-10A, adopted Appendix B, Development Code, of the City’s Code of Ordinances; and

WHEREAS, the City Council desires to provide amendments (the “Amendments”) to Chapter 20, Signs, of the Code of Ordinances and to Appendix B, Development Code, of the Code of Ordinances; and

WHEREAS, notice of a public hearing on these Amendments to be held by the Marble Falls Planning and Zoning Commission was published in the official newspaper of the City of Marble Falls, Texas, on February 18, 2020; and

WHEREAS, following proper mailed and published notice, a public hearing on the Amendments was held by the Marble Falls Planning and Zoning Commission on March 5, 2020; and

WHEREAS, on March 5, 2020, the Marble Falls Planning and Zoning Commission recommended approval of the Amendments; and

WHEREAS, notice of a public hearing on the Amendments to be held by the Marble Falls City Council was published in the official newspaper of the City of Marble Falls, Texas, on March 5, 2020; and

WHEREAS, following proper mailed and published notice, a public hearing on the Amendments was held by the Marble Falls City Council on March 17, 2020; and

WHEREAS, the City Council further finds that the Amendments provided under this Ordinance are in the best interest of the City of Marble Falls.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARBLE FALLS, TEXAS, THAT:

SECTION I. PREAMBLE. All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Marble Falls and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION II. AMENDMENT. The City of Marble Falls Code of Ordinances is hereby amended in accordance with the following:

A. Chapter 20, Signs, is amended as follows:

1. Sec. 20-3. - Definitions, be amended as follows:

a. That the definition for development sign be amended to read "*Development sign* means signs announcing a new development and/or giving the name or names of principal contractors, architects and lending institutions responsible for construction of a subdivision or land development at the site where the sign is placed".

b. That the definition for human sign be added to read "*Human sign* means a sign that is worn (including costumes) or held by a human for commercial advertising or promotion purposes".

2. Sec. 20-10. - Temporary signs, Subsection B, Detached temporary signs, subsection 4, Feather flag signs (tear drop banners), be amended as follows:

a. That subsection 4(c), Location requirements, be amended to read "Location requirements. Feather flag signs shall be located within the premises of the business, organization, or event for which they advertise. Feather flag signs shall not create a traffic circulation disturbance or a vision obstruction to neighboring signs or traffic accessibility. Feather flag signs shall not block pedestrian paths (sidewalks), entrances or exits to buildings. Feather flag signs are prohibited from utilization in residential zoning districts, such as NR, TR, DR, ENZ.2, ENZ.3, or other PDD district equivalents and are prohibited on properties zoned Downtown (DN) District that are located west of US 281 and that do not front on US 281".

b. That subsection 4(d), Setback requirements, be amended to read "Setback requirements. None. Feather flag signs may be placed on the property line provided they are set back at least three (3) feet from a public sidewalk and ten (10) feet from a roadway and that all other provisions of this section are met".

3. That Sec. 20-10, Temporary signs, Subsection B, Detached temporary signs, be amended to add new subsection 8, Human Signs, to read as follows:

8. *Human signs.*

a. Maximum size. Six (6) square feet.

b. Allocation. One (1) human sign per property for a maximum period of two (2) weeks or fourteen (14) days per every six (6) month period.

c. Location requirements. Human signs are prohibited in the right-of-way. Human signs may be permitted anywhere on the premises of the private property on which the business being advertised is located provided they do not create a

hazard or impede vehicle, bicycle or pedestrian circulation and do not interfere with required visibility triangles.

- d. Design. Human signs shall not utilize any type of illumination, animation, flashing, blinking, rotating light, fluorescent colors, or mirrors, and may not generate any noise that would disrupt or endanger pedestrians or motorists.

4. Sec. 20-10, Temporary signs, Subsection E, Development sign, be amended to read “*Development sign*. Signs announcing or describing a subdivision or land development may be temporarily erected until construction of the subdivision or development is completed. Such signs shall not exceed one hundred (100) square feet in area and may be indirectly lighted. An annual permit is required”.

B. Appendix B, Development Code, is amended as follows:

1. That Article 3, Land Use, Division 3.1, Land Uses by District, Section 3.1.3, Residential and Neighborhood Uses, Table 3.1.3 Residential and Neighborhood Uses by Zoning District is amended with regard to tiny house development, duplex, townhouse, and the apartment land uses as follows:

Table 3.1.3 Residential and Neighborhood Uses by Zoning District																	
Land Use	ZONING DISTRICTS																Reference to Supplemental Use Standards
	P=Permitted R=Restricted E=Existing C=Conditional MP=Master Planned Community --=Prohibited																
	Ag	Residential					ENZ Subdistrict					Nonresidential					
FR	RE	NR	TR	DR	MR	ENZ. 1	ENZ. 2	ENZ. 3	ENZ. 4	ENZ. 5	NC	GC	DN	DT	BP	IN	
Tiny House Development	C	--	C	C	C	C	--	--	C	C	R	--	--	--	--	--	--
Duplex	--	--	MP	P	P	MP	--	C	P	P	P	C	--	--	--	--	--
Townhouse	--	--	MP	P	P	P	--	--	P	P	--	C	--	R	R	--	--
Apartment	--	--	--	C/ MP	C	P	--	--	--	P	--	C	--	R	R	--	--

2. That Article 3, Land Use, Division 3.2, Supplemental Use Regulations, Section 3.2.1 Restricted and Conditional Uses, Table 3.2.1B, Residential and Neighborhood Restricted and Conditional Use Standards is amended as follows:

Table 3.2.1.B Residential and Neighborhood Restricted and Conditional Use Standards

Land Use	District	Development Standards	Operational/Other Standards
Tiny House Development	FR	Tiny House Developments are subject to the requirements of Section 4.2.4, <i>Tiny House Development</i> . Tiny House Developments in the FR, NR, TR, and MR districts are also subject to approval of a Conditional Use Permit.	All tiny houses shall be connected to utilities as set out in Subsection 4.2.4.C.6, <i>Utilities</i> and Subsection 4.2.4.C.7, <i>Solid Waste Disposal</i> , and shall comply with minimum building standards as set out in Subsection 4.2.4.B, <i>Tiny House Building Unit Standards</i> .
	NR		
	TR		
	DR		
	MR		
Duplex	ENZ.3	There are no specific restrictions applicable to the Conditional Use Permit requirement.	
	ENZ.4		
Townhouse	ENZ.5	There are no specific restrictions applicable to the Conditional Use Permit requirement.	
	NC		
Townhouse	DN	Buildings must be designed to create an urban character with pedestrian interface. Entrances are required to face the street and must include a porch or stoop. Required parking must be accessed via an alley.	N/A
	DT		
Apartment	NC	Limited to a maximum of 14 units per acre.	N/A
	DR	Limited to a maximum of 20 units per acre.	N/A
	TR	Limited to a maximum of 14 units per acre.	
	NC	Limited to a maximum of 14 units per acre.	
DN	Limited to a maximum of 44 units per acre. Buildings must be designed to create an urban character, required parking is accessed via an alley and accommodated in a parking structure or a parking lot which uses the building to screen it from the public right-of-way. In the DN district, the first floor of the building shall be dedicated to nonresidential uses permitted within the district. No apartment units shall be located on the first floor in the DN District.		
DT			
Live-work unit	DN	Live-work units must be designed with a residential external appearance in the form of a townhouse. Customer parking must be provided on street, in a parking structure, or via alley access. The area devoted to the residence cannot exceed 50 percent of the total floor area.	N/A
	DT		

3. That Article 3, Land Use, Division 3.2, Supplemental Use Regulations, Section 3.2.1, Restricted and Conditional Uses, Table 3.2.1C, Civic Restricted and Conditional Use Standards is amended to add the social service institution land use to read as follows:

Table 3.2.1.C Civic Restricted and Conditional Use Standards

Land Use	District	Development Standards	Operational and Other Standards
Social Service Institution	DR	There are no specific restrictions applicable to the Conditional Use Permit requirement.	
	GC		
	DN		
	DT		
	BP		

4. That Article 3, Land Use, Division 3.2, Supplemental Use Regulations, Section 3.2.1, Restricted and Conditional Uses, Table 3.2.1D, Commercial Restricted and Conditional Use Standards with regard to the recreational vehicle (RV) park land use, is amended as follows:

Table 3.2.1.D Commercial Restricted and Conditional Use Standards			
Land Use	District	Development Standards	Operational/Other Standards
Recreational Vehicle (RV) Park	FR MR ENZ.5	<p>Recreational vehicles shall only be located within an RV Park subject to approval of a Conditional Use Permit and in accordance with the following:</p> <ul style="list-style-type: none"> • An RV park shall be planned cohesively through a Site Development Plan. • All RV parks shall take access from an arterial or collector street with a driveway width of at least 30 feet. • A single recreational vehicle is allowed per space. • RVs shall be placed on a permanent parking pad at least 10 feet in width and 24 feet in depth constructed of concrete, asphalt, or similar material approved by the City Engineer. • Each RV space shall have adequate frontage width on an access drive to allow for loading/unloading maneuvering space. • RV parks may include sanitary facilities, park storage buildings, or management offices. • Common area amenities shall be required based on the number of units allotted per the Site Development Plan. • All spaces shall provide connections to potable water, sanitary sewer, and electrical power. • The RV park shall provide a centralized solid waste collection facility. • A permanent marker identifying the space number is required to be clearly visible day and night for emergency vehicles. • Individual units/spaces shall not have accessory structures, such as sheds and carports. • Outside storage at individual units/spaces is not allowed, except for except for a barbeque pit or similar outdoor cooking apparatus. • Individual RV units/spaces shall not have permanent decks and/or porches. • Individual RV units/spaces shall not have fencing. 	N/A

5. That Article 3, Land Use, Division 3.2, Supplemental Use Regulations, Section 3.2.1, Restricted and Conditional Uses, Table 3.2.1E, Industrial Restricted and Conditional Use Standards with regard to the self-storage land use, is amended as follows:

Table 3.2.1.E Industrial Restricted and Conditional Use Standards			
Land Use	District	Development Standards	Operational/Other Standards
Self-Storage	GC	When located adjacent to a major arterial level street, the facility shall be set back at least 150 feet from the right-of-way.	The use will be conducted entirely within an enclosed building. All units shall be accessed from an interior hallway and not contain an interior electrical outlet. Self-storage units shall be used solely for the purpose of storage and shall not be used for conducting or operating a business.
	IN	When located adjacent to a major arterial level street, the facility shall be set back at least 150 feet from the right-of-way. Additionally, unit doors shall not be visible from public rights-of-way nor residentially zoned or used properties. Outdoor storage areas shall be completely screened from view from the street by a wall or fence at least eight feet in height.	Outdoor storage areas shall comply with Section 4.6.5, <i>Outdoor Storage and Display of Merchandise</i> . Self-storage units shall be used solely for the purpose of storage and shall not be used for conducting or operating a business.

6. That Article 4, General Development Standards, Division 4.1, General Use Provisions, Section 4.1.1, Use of Land and Water, Generally, is amended to add Subsection C to read as follows: "Restriction of age of structure moved into or within the city limits. No structure more than

five (5) years of age may be moved into the city limits or moved between any properties within the city limits without specific approval from the Planning and Zoning Commission. Structures for which the principal use is primary or secondary educational facilities shall be exempt from this provision”.

7. That Article 4, General Development Standards, Division 4.2, New Residential Development Design, Table 4.2.1, Development Options and Yield for New Residential Development, is amended as follows:

Table 4.2.1 Development Options and Yield for New Residential Development					
Development Option	Min. Area of Development	Min. Lot Size/ Area Per Dwelling Unit	Max. Gross Density per Acre	Min. Open Space Area	Min. Dwelling Unit Size
Transitional Residential (TR) District					
Tiny House Development ^{2,4}	5.0 ac.	3,600 sf	5.25	40%	140 sf ⁷
Triplex	10,500 sf	10,500 sf	12.00	25%	N/A
Quadplex	14,500 sf	14,500 sf	12.00	25%	N/A
Downtown (DN) and Downtown Transition (DT) Districts					
Townhouse (Rear-Loaded) ⁹	42,000 sf	2,000 sf	20.00	N/A	N/A
Apartment ⁶	N/A	N/A	44.00	N/A	N/A
Loft Apartment ⁶	N/A	N/A	44.00	N/A	N/A
Table Notes:					
⁹ Townhouses in the Downtown (DN) and Downtown Transition (DT) Districts are subject to the standards set out in Section 4.3.4, <i>Special Design Standards for Downtown (DN) and Downtown Transition (DT) Districts</i> .					

8. That Article 4, General Development Standards, Division 4.2, New Residential Development Design, Table 4.2.2, Lot and Building Standards for New Residential Development, is amended as follows:

Table 4.2.2 Lot and Building Standards for New Residential Development										
Development Option	Min. Lot Size/ Area Per Unit	Min. Lot Width	Min. Lot Frontage	Min. Setbacks					Max. Height Building/ Structure	Max. Lot Coverage
				Front	Interior Side	Street Side	Rear	Garage		
Neighborhood Residential (NR) District										
Neighborhood (Single-Family Detached)	5,000 sf	45' ¹² / 55' ¹	20'	25'	5'	10'	15'	25'/ 7.5' ²	35'	50%
Neighborhood (Rear-Loaded) (Single-Family Detached) ³	4,200 sf	38'/ 48' ¹	20'	15'	5'	10'	15'	7.5' ²	35'	60%
Single-Family Zero Lot Line ¹⁰	5,000 sf	45' ¹² / 60' ¹	20'	25'	0'/10' ¹¹	10'	15'	25'/ 7.5' ²	35'	50%
Transitional Residential (TR) District										
Tiny House Development ^{6,8}	3,600 sf	40'	20'	15'	5'	10'	15'	N/A	25'	50%
Triplex	12,000 sf	50'	50'	25'	10'	15'	15'	25'	40'	70%
Quadplex	14,500 sf	50'	50'	25'	10'	15'	15'	25'	40'	70%
Apartment ^{8,9}	N/A	60'	60'	25'	15'	20'	15'	N/A	40'	70%
Downtown (DN) and Downtown Transition (DT) Districts										
Townhouse (Rear-Loaded) ^{3, 13}	2,000 sf	20'	20'	0'/ 10' ¹⁴	5'/ 0' ⁴	10'	15'	7.5' ²	60'	70%

Table 4.2.2 Lot and Building Standards for New Residential Development										
Development Option	Min. Lot Size/ Area Per Unit	Min. Lot Width	Min. Lot Frontage	Min. Setbacks					Max. Height Building/ Structure	Max. Lot Coverage
				Front	Interior Side	Street Side	Rear	Garage		
Table Notes:										
¹² Lot widths within a development of at least 20 homes may be reduced to 40 feet provided the average lot width within the development is at least 45 feet.										
¹³ Townhouses in the Downtown (DN) and Downtown Transition (DT) Districts are subject to the standards set out in Section 4.3.4, <i>Special Design Standards for Downtown (DN) and Downtown Transition (DT) Districts</i> .										
¹⁴ Townhouses in the Downtown (DN) District are required to be built to the front property line and townhouses in the Downtown Transition (DT) District are required to be built within ten (10) feet of the front property line.										

9. That Article 4, General Development Standards, Division 4.2, New Residential Development Design, Table 4.2.6A, Downtown Residential Lot and Building Standards, is amended as to Tiny House Development and to add new Table Notes 14 and 15 as follows:

Table 4.2.6.A Downtown Residential Lot and Building Standards										
Land Use	Min. Lot Width	Min. Lot Size/ Area per Unit	Max. Lot Coverage	Min. Setbacks					Max. Building/ Structure Height	Minimum Dwelling Unit Size
				Front	Interior Side	Street Side	Rear	Garage Access		
Tiny House Development ^{6,14}	40'	3,600 sf	60%	15'	5'	10'	15'	N/A	25'	140 sf ¹⁵
Table Notes:										
¹⁴ Tiny House Developments must also comply with the standards of Section 4.2.4, <i>Tiny House Development</i> .										
¹⁵ Maximum Tiny House size is 599 square feet.										

10. That Article 4, General Development Standards, Division 4.2, New Residential Development Design, Table 4.2.7A, Existing Neighborhood Zones General Lot and Building Standards, is amended as to Tiny House Development and to add new Table Notes 8 and 9 as follows:

Table 4.2.7.A Existing Neighborhood Zones General Lot and Building Standards										
ENZ Sub-district	Development Type	Min. Lot Width	Lot Area & Coverage		Min. Setbacks				Max. Building/ Structure Height	Min. Dwelling Unit Size
			Minimum Area per Lot / Unit	Max. Lot Coverage	Front	Interior Side	Street Side	Rear		
ENZ.3	Tiny House Development ^{6,14}	50'	6,000 sf	60%	25'	5'	15'	15'	25'	140 sf ¹⁵
ENZ.4	Tiny House Development ^{6,14}	50'	6,000 sf	60%	25'	5'	15'	15'	25'	140 sf ¹⁵
ENZ.5	Tiny House Development ^{5,8}	50'	5,000 sf	60%	25'	5'	15'	15'	25'	140 sf ⁹
Table Notes:										
⁸ Tiny House Developments must also comply with the standards of Section 4.2.4, <i>Tiny House Development</i> .										
⁹ Maximum Tiny House size is 599 square feet.										

11. That Article 4, General Development Standards, Division 4.2, New Residential Development Design, Section 4.2.9.F.1.d, Supplemental Standards for One-Story Detached ADUs, is amended to read as follows: "*Exception*. In the FR, RE and ENZ.1 Districts, a one-story detached ADU shall not exceed 33 percent of the gross floor area of the principal building, or 1,200 square feet, whichever is smaller".

12. That Article 4, General Development Standards, Division 4.6, Supplemental Development Standards, Table 4.6.4, Location, Fence, and Wall Height and Setback Requirements, is amended to read as follows:

Table 4.6.4 Location, Fence, and Wall Height and Setback Requirements			
Location	Height ^{1,2}	Setback ³	Additional Standards
Front Yard	3.5'	0'	Fences and walls shall have a maximum 50% opacity.
	6'	Front building line	Six-foot fencing shall not be located any closer to the front property line or street than the primary structure.
Street Side Yard	6'	0'	Six-foot street side yard fencing shall not encroach into the front yard setback requirement.
Interior Side Yard	6'/8'	0'	Where the use of the property or one the abutting properties is non-residential, industrial, or mixed-use, the maximum height is eight feet. If both are residential, the maximum height is six feet.
Rear Yard			
Double Frontage Rear Yard	3.5'	0'	Fences and walls shall have a minimum 50% opacity.
	6'	10'	10' setback is from street right-of-way and shall be landscaped green space.
Arterial Street Frontage	8'	5'	Frontage abuts a major or minor arterial.
Table Notes: ¹ Decorative columns, pilasters, stone caps, sculptural elements, and other similar architectural features may exceed the maximum height by up to one foot, provided that such taller elements comprise no more than 10 percent of the total wall length in elevation view. ² Fences and walls meeting the criteria for outdoor storage may be allowed additional height as set out in Section 4.6.5, <i>Outdoor Storage and Display of Merchandise</i> . ³ All fences and walls shall be set back a minimum of two feet from an existing public sidewalk and three feet from an alley right-of-way.			

13. That Article 14, Definitions and Interpretations, Division 14.3, Definitions, is amended to read as follows:

a. *Cottage* means a small single-family detached dwelling unit ranging in size from 600 square feet to 899 square feet which is intended for small lots in specified zoning districts.

b. *Multifamily* means a use whereby three or more dwelling units are located on a single lot or tract under one ownership, and may include condominium form of ownership. The term multifamily includes apartments, triplexes, and fourplexes. The term multifamily does not include bed and breakfast lodging, manufactured housing, single-family detached or attached residential uses, or hotels/lodging.

c. *Recreational Vehicle Park (RV Park)* means a property or parcel of land developed for the use of two or more recreational vehicles in designated spaces.

d. *Townhouse* means a dwelling unit, generally having two or more floors, attached to at least two (2) and no more than five (5) similar dwelling units (townhouse row) arranged in a linear form that are separated by common walls extending from foundation to roof with exposed front and rear walls, with each unit occupying space from ground to roof. Townhouses are situated on individual lots.

SECTION III. REPEALER. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained herein are hereby repealed, but only to the extent of any such conflict.

SECTION IV. SEVERABILITY. If any provision, section, sentence, clauses or phrase of this Ordinance or application of same to any persons or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portion of this Ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Marble Falls in adopting, and the Mayor in approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provisions or regulation.

SECTION V. EFFECTIVE DATE. This ordinance shall be and become effective immediately upon and after its passage and publication as may be required by law.

SECTION VI. PROPER NOTICE AND MEETING. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

DULY PASSED by the City Council of the City of Marble Falls, Texas, on the 17th day of March, 2020.

CITY OF MARBLE FALLS, TEXAS

John Packer, Mayor

ATTEST:

Christina McDonald, City Secretary

(Seal)

APPROVED AS TO FORM:

Patty L. Akers, City Attorney

March 17, 2020

7. REGULAR AGENDA

- (b) Discussion and Action on authorizing the expenditure of funds to Motorola for the City of Marble Falls' portion of upgrades to the Western Region Radio System. *Glenn Hanson, Assistant Chief of Police*
-



**Council Agenda Item Cover Memo
March 17, 2020**

Agenda Item No.: 7(b)
Presenter: Glenn Hanson, Assistant Police Chief
Department: Police
Legal Review: N/A

AGENDA CAPTION

Discussion and Action on authorizing the expenditure of funds to Motorola for the City of Marble Falls' portion of upgrades to the Western Region Radio System.

BACKGROUND

Since 2013, the City of Marble Falls has partnered with Burnet, Blanco and Llano Counties to build out and operate what is referred to as the Western Region Radio System (WRRS). The system is a network of towers, radios and routers that tie this region into the Greater Austin Travis Regional Radio System (GATRRS). This system is used for all public safety and municipal radio communications in this region and affords us the ability to communicate from West Texas to the Gulf Coast with our mobile and portable radios.

The WRRS consists of a dozen towers to offer this large footprint of coverage. The system communicates with the GATRRS core in Austin via Microwave and Fiber Optics for redundancy. If one of these systems fails, the other is to maintain connection. The fiber optic line was originally established by Time Warner who has since sold it to Spectrum. Spectrum made upgrades to the fiber system which in turn has caused issues with that aspect of the WRRS redundancy.

Motorola has re-designed the network to upgrade critical pieces of equipment at 6 of the tower sites to eliminate this issue. This upgrade solution which includes network re-design, services and equipment along with post warranty maintenance and support for years 2 through 5 totals a cost of \$311,140.00.

Each of the partners pays a percentage of the total cost based on the number of subscribers/users through the communications/dispatch centers. The City of Marble Falls is responsible for 22.61% of the total cost making our obligation \$70,347.00.

Funding for the annual budget for the WRRS is derived from each radio user paying a monthly fee for use of the system. Since 2013 the City of Marble Falls has retained residual funds that are not expended during the budget year which has grown to

approximately \$120,000.00 over that period. This fund is kept for such purposes as these unexpected needs.

The expenditure requested will be drawn from Fund 12 which is the Marble Falls Trunked Radio System fund and will appear on the mid-year budget adjustment.

Attachment: Western Counties Network Redesign proposal.

WESTERN COUNTIES, TX

WESTERN COUNTIES NETWORK REDESIGN

MARCH 2, 2020

The design, technical, pricing, and other information ("Information") furnished with this submission is proprietary and/or trade secret information of Motorola Solutions, Inc. ("Motorola Solutions") and is submitted with the restriction that it is to be used for evaluation purposes only. To the fullest extent allowed by applicable law, the Information is not to be disclosed publicly or in any manner to anyone other than those required to evaluate the Information without the express written permission of Motorola Solutions.

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Motorola Solutions, Inc.
2120 W Braker Lane
Austin Texas 78758
USA

March 2, 2020

Jim Barho
Burnet County, Emergency Management Coordinator
220 South Pierce Street
Burnet, TX 78611

RE: Western Counties Network Redesign

Dear Mr. Barho,

Motorola Solutions, Inc. (Motorola) is pleased to present to you the enclosed proposal for the Western Counties Network Redesign. The Proposal is based upon and subject to the terms and conditions of the DIR Agreement (DIR-TSO-4101) and consists of this cover letter, the Statement of Work, and Equipment List.

This proposal is subject to the terms and conditions of the Texas DIR-TSO-4101 contract and remains valid for a period of ninety (90) days from the date of this letter. This proposal may be accepted by issuing a purchase order that specifically references "the terms and conditions of the Texas DIR-TSO4101 contract." Motorola would be happy to discuss any concerns the County may have with the Proposal.

For any issues or concerns please contact your Account Manager, Ben Zotyka, at (832)657-5086.

Sincerely,
MOTOROLA SOLUTIONS, INC.



Clay Cassard
Area Sales Manager

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SECTION 1

SYSTEM DESCRIPTION

1.1 SYSTEM OVERVIEW

Motorola is pleased to provide the Western Counties Consortium with a network redesign to mitigate the issue that are being experienced due the existing spanning tree network design over the leased line. Motorola is proposing replacing the backhaul switches with backhaul routers at the minimum number of sites: 281N, Lone Grove, Fowler, Round Mountain, Mustang, and LCRA sites. The solution shall provide layer 3 routing capability for the backhaul network and remove spanning tree protocol on the network.

1.2 SYSTEM DESIGN

Motorola's proposed solution shall replace the backhaul switches with Juniper MX104 routers at the following sites:

- 281N
- Lone Grove
- Fowler
- Round Mountain
- Mustang
- LCRA

The Western Counties network subsystem shall be reconfigured to a layer 3 network to mitigate the spanning tree protocol issue over the leased line. The spur sites shall be reconfigured to point to the nearest site on the ring with a backhaul router.

A total of 6 Juniper MX104 is included with the proposal with 25 copper SFP. The solution leverages the existing GATRRS backhaul router at the core with the addition of the SFP included in this proposal to accommodate the new Layer 3 network paths.

The following diagram provides a high level overview of the network redesign.



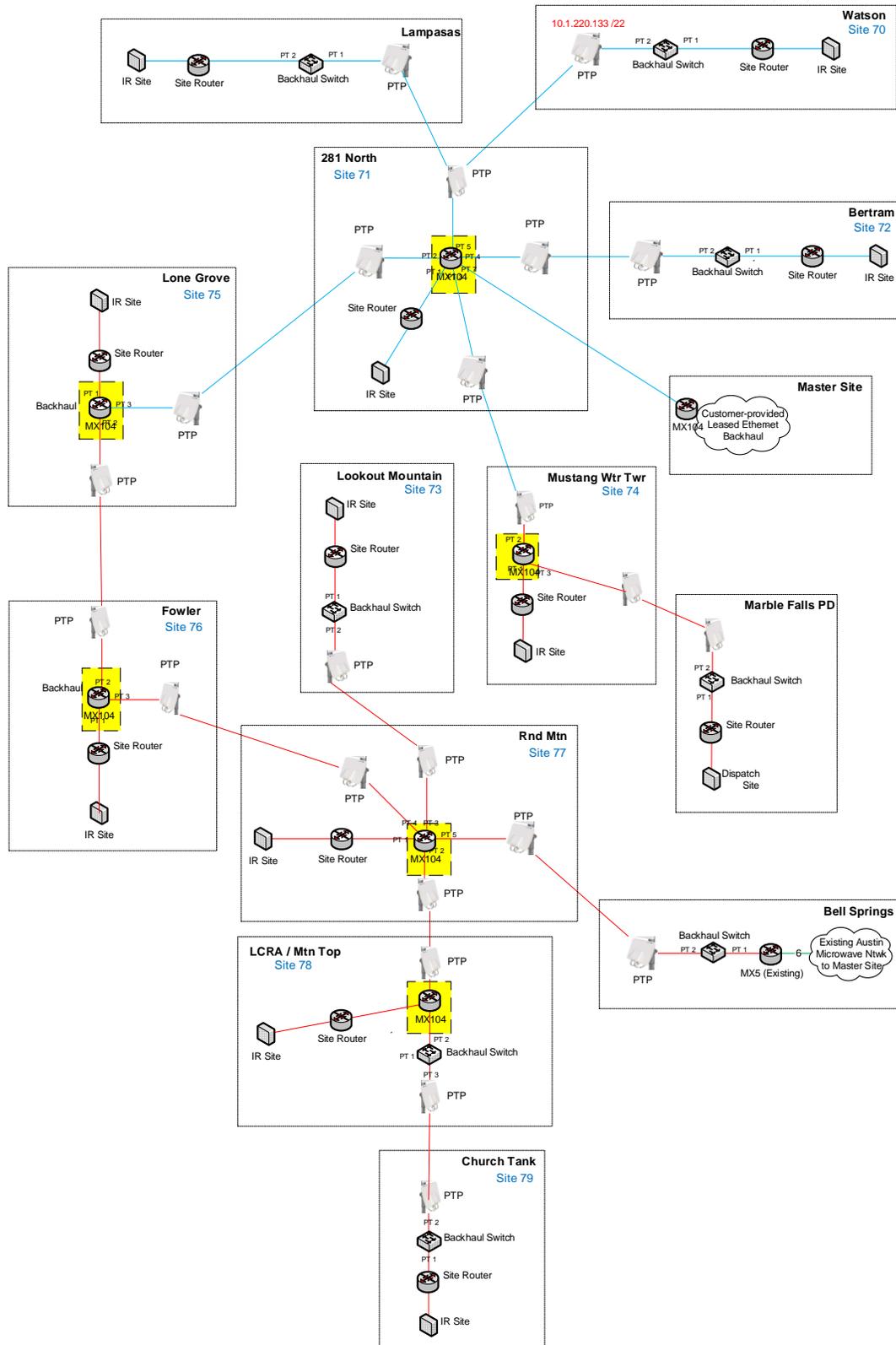


Figure 1-1: Western Counties Network Design

1.3 INSTALLATION PLAN

Motorola has provided a high level plan of the network redesign:

- Install router at 281N and SFP at the core. 281N routing over new path. The Spurs continue to communicate over E-tree L2.
- Reconfigure each spur site and add to the layer 3 network.
- Continue reconfiguration of the sites around the ring.

Installation of the proposed solution requires the sites to be down temporarily. Motorola will work with the customer to come up with a plan to provide minimal downtime during the implementation of the network redesign at each site.



SECTION 2

EQUIPMENT LIST

QTY	DESCRIPTION
6	MX104 - MX5, 20X1GE, 1 S-MIC SLOTS AC
12	2.5M 13A/125V PWR CORD AC C15M STRAIGHT NEMA N5-15 TO HIGH TEMP
5	JUNIPER CARE NEXT DAY SUPPORT MX104-MX5-AC/DC
25	SFP 10/100/1000 COPPER

SECTION 3

STATEMENT OF WORK

Motorola is proposing to Western Counties the installation and configuration of new Juniper MX104 routers for the network redesign to provide a layer 3 routing capability for the backhaul network and thus removing the spanning tree protocol currently on the network. The following sites will have the new routers install:

- 281N
- Lone Grove
- Fowler
- Round Mountain
- Mustang
- LCRA

The document delineates the general responsibilities between Motorola and Western Counties as agreed to by contract.

3.1 MOTOROLA RESPONSIBILITIES

Motorola's general responsibilities include the following:

- Perform the installation of qty. 6 Juniper MX104 routers and the above sites specified in this proposal.
- Motorola will reconfigure the network subsystem to a layer 3 network. The spur sites will be reconfigured to point to the nearest site on the ring with a backhaul router.
- Schedule the implementation in agreement with Western Counties.
- Coordinate the activities of all Motorola subcontractors under this contract.
- Administer safe work procedures for installation.
- Provide Western Counties with the appropriate system interconnect specifications.

3.2 WESTERN COUNTIES, TX RESPONSIBILITIES

Western Counties will assume responsibility for the installation and performance of all other equipment and work necessary for completion of this project that is not provided by Motorola. General responsibilities for Western Counties include the following:

- Insure communications sites meet space, grounding, power, and connectivity requirements for the installation of all equipment.
- Obtain all licensing, site access, or permitting required for project implementation.
- Obtain frequencies for project as required.
- Customer will provide a dedicated delivery point, such as a warehouse, for receipt, inventory and storage of equipment prior to delivery to the site(s).
- Coordinate the activities of all Western Counties vendors or other contractors.



3.3 PROJECT ASSUMPTIONS

Motorola has based the system design on information gathered from meeting with Western Counties and Austin. All assumptions have been listed below for the Western Counties' review. Should Motorola's assumptions be deemed incorrect or not agreeable to Western Counties, a revised proposal with the necessary changes and adjusted costs will be required. Changes to the equipment or scope of the project after contract will require a change order. Refer to the Statement of Work for the specific list of responsibilities to be performed by Western Counties and Motorola.

This section outlines the assumptions and dependencies used in developing the proposed solution.

- Motorola assumes available rack spaces is available at the site mentioned in the design above to install the Juniper Routers.
- Motorola assumes available electrical circuit and breaker is available for the proposed routers. Each router requires 2 electrical circuits.
- Motorola assumes that this solution will leverage the existing GATTS backhaul router at the core.
- Motorola assumes the site is up and operational at the time of implementation to mitigate any other possible issues with the site.
- No coverage guarantee is included in this proposal.
- Any site/location upgrades or modifications are the responsibility of the customer.
- All existing sites or equipment locations will have adequate electrical power in the proper phase and voltage and site grounding to support the requirements of the system described.
- No coverage guarantee is included in this proposal.



SECTION 4

SERVICE/WARRANTY

One Year of the Juniper Care Next day support has been included in this proposal. This support gives access to technical support, software release, and online support. Your Customer Service Manager (CSM) will work with Western Counties to incorporate the juniper routers into the annual service contract at time of renewal.



SECTION 5

PRICING SUMMARY

Motorola's system solution and services are priced as follows:

Total solution price per equipment and services outlined in this proposal

Description	Price
Western Counties Network Redesign	
System Total (Services & Equipment)	\$232,428.00
DIR Contract Discount	(\$ 27,450.00)
TOTAL	\$204,978.00
<i>Project price breakdown:</i>	
<i>Equipment</i>	\$63,220.00
<i>Services</i>	\$141,758.00
<i>Post Warranty Maintenance/Support yrs 2-5</i>	\$106,162.00
PROJECT TOTAL	\$311,140.00

5.1 PAYMENT TERMS

System Purchase

1. 50% of the system price is due upon Contract Execution
2. 50% of the system price is due upon Final Acceptance

For Lifecycle Support Plan and Subscription Based Services:

Motorola will invoice Customer annually in advance of each year of the plan.

BURNET COUNTY EQUIPMENT

APC	QTY	PART NUMBER	NOMENCLATURE	PRICE	EXTENDED
708	3	DSIGMX104MX5AC	MX104 - MX5, 20X1GE, 1 S-MIC SLOTS AC	\$ 6,080.67	\$ 18,242.00
708	5	DSIGCBLPWRC15MHTMP	2.5M 13A/125V PWR CORD AC C15M STRAIGHT NEMA N5-15 TO HIGH TEMP	\$ 30.00	\$ 180.00
708	3	DSIGMX104X5SVCND	JUINPER CARE NEXT DAY SUPPORT MX104-MX5-AC/DC	\$ 1,620.00	\$ 4,860.00
708	12	DSIGSFP1GEFE	SFP 10/100/1000 COPPER	\$ 227.00	\$ 2,724.00
			EQUIPMENT TOTAL		\$ 26,006.00
			SERVICES TOTAL		\$ 57,015.00
			POST WARRANTY TOTAL		\$ 42,698.00
			BURNET CONTY FINANCE TOTAL		\$125,719.00

LLANO COUNTY EQUIPMENT

APC	QTY	PART NUMBER	NOMENCLATURE	PRICE	EXTENDED
708	1	DSIGMX104MX5AC	MX104 - MX5, 20X1GE, 1 S-MIC SLOTS AC	\$ 8,931.00	\$ 8,931.00
708	2	DSIGCBLPWRC15MHTMP	2.5M 13A/125V PWR CORD AC C15M STRAIGHT NEMA N5-15 TO HIGH TEMP	\$ 30.00	\$ 60.00
708	1	DSIGMX104X5SVCND	JUINPER CARE NEXT DAY SUPPORT MX104-MX5-AC/DC	\$ 2,430.00	\$ 2,430.00
708	4	DSIGSFP1GEFE	SFP 10/100/1000 COPPER	\$ 227.00	\$ 908.00
			EQUIPMENT TOTAL		\$ 12,329.00
			SERVICES TOTAL		\$ 31,839.00
			POST WARRANTY TOTAL		\$ 23,844.00
			LLANO COUNTY FINANCE TOTAL		\$ 68,012.00

BLANCO COUNTY EQUIPMENT

APC	QTY	PART NUMBER	NOMENCLATURE	PRICE	EXTENDED
708	1	DSIGMX104MX5AC	MX104 - MX5, 20X1GE, 1 S-MIC SLOTS AC	\$ 8,931.00	\$ 8,931.00
708	2	DSIGCBLPWRC15MHTMP	2.5M 13A/125V PWR CORD AC C15M STRAIGHT NEMA N5-15 TO HIGH TEMP	\$ 30.00	\$ 60.00
708	1	DSIGMX104X5SVCND	JUINPER CARE NEXT DAY SUPPORT MX104-MX5-AC/DC	\$ 2,430.00	\$ 2,430.00
708	4	DSIGSFP1GEFE	SFP 10/100/1000 COPPER	\$ 227.00	\$ 908.00
			EQUIPMENT TOTAL		\$ 12,329.00
			SERVICES TOTAL		\$ 19,860.00
			POST WARRANTY TOTAL		\$ 14,873.00
			BLANCO COUNTY FINANCE TOTAL		\$47,062.00

CITY OF MARBLE FALLS EQUIPMENT

APC	QTY	PART NUMBER	NOMENCLATURE	PRICE	EXTENDED
708	1	DSIGMX104MX5AC	MX104 - MX5, 20X1GE, 1 S-MIC SLOTS AC	\$ 8,931.00	\$ 8,931.00
708	2	DSIGCBLPWRC15MHTMP	2.5M 13A/125V PWR CORD AC C15M STRAIGHT NEMA N5-15 TO HIGH TEMP	\$ 30.00	\$ 60.00
708	1	DSIGMX104X5SVCND	JUINPER CARE NEXT DAY SUPPORT MX104-MX5-AC/DC	\$ 2,430.00	\$ 2,430.00
708	5	DSIGSFP1GEFE	SFP 10/100/1000 COPPER	\$ 227.00	\$ 1,135.00
			EQUIPMENT TOTAL		\$ 12,556.00
			SERVICES TOTAL		\$ 33,044.00
			POST WARRANTY TOTAL		\$ 24,747.00
			CITY OF MARBLE FALLS COUNTY FINANCE TOTAL		\$70,347.00

Project Total	\$311,140.00